

AFFIDAVIT OF MONICA L. COLEMAN

STATE OF OKLAHOMA)
)
) SS.
COUNTY OF OKLAHOMA)

Affiant, Monica L. Coleman, of lawful age and being first sworn upon oath, attests as follows:

1. I am employed by The City of Oklahoma City as the Assistant Personnel Director and have been so employed since February of 2002.
2. As Assistant Personnel Director, I have custody and control over all records of the Oklahoma City Personnel Department, which are kept in the regular course of business and include the personnel file of the Plaintiff Melissa R. Jackson.
3. I am familiar with the facts surrounding Plaintiff's employment with the City as well as her termination in February 2012.
4. The City Council formally adopts the Personnel Policies of The City of Oklahoma City, which are recommended for approval by the Personnel Department and issued by the City Manager.
5. A Personnel Service Bulletin (PSB) is a statement about the implementation or interpretation of a policy already adopted by the City Council and issued by the City Manager.
6. PSB 93-1 regarding on the job injury leave/temporary medical leave was issued by former Personnel Director, Lloyd Rinderer, on January 14, 1993. The stated Purpose of PSB 93-1 was to establish procedures in the treatment of on the job injury leave within the City and to establish consistency in the application of on the job injury leave, as well as, temporary medical/extended illness leave in regard to employees in the management pay plan and employees covered by collective bargaining agreements.
7. Sections 1010.01 and 1010.02 were added to the City Personnel Policies in July 1991.
8. The City adopted an FMLA policy in October 1998 allowing employees to use sick leave, vacation leave and/or comp time while on FMLA leave.

9. The City adopted amended Personnel Policies in November 2000, December 2005 and March 2012. When amended versions of the Personnel Policies are adopted, the prior version becomes null and void.
10. Plaintiff was employed with the City of Oklahoma City from March 25, 2005, to February 29, 2012. During Plaintiff's entire employment with the City the 2005 policies were in effect.
11. Neither the 2000 or 2005 amended versions of the City Personnel Policies contain §§ 1010.01 or 1010.02 or any reference to those sections or the language in those sections making those sections null and void with the adoption of the 2000 City Personnel Policies.

FURTHER AFFIANT SAYETH NOT.

DATED this 23rd day of May, 2013.

Monica Coleman
Monica Coleman, Assistant Personnel Director
The City of Oklahoma City

SUBSCRIBED AND SWORN to before me on this 23rd day of May, 2013.

Janette A. Miller
Notary Public

My Commission Expires:

